

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EDGE CAPTURE L.L.C., and EDGE SPECIALISTS, L.L.C.,

Plaintiffs,

V.

BARCLAYS BANK PLC, BARCLAYS)
CAPITAL INC., UBS AG, UBS)
FINANCIAL SERVICES INC., UBS)
SECURITIES, L.L.C., WOLVERINE)
TRADING, L.L.C. and WOLVERINE)
EXECUTION SERVICES, L.L.C.)

Defendants.

Civil Action No. 1:09-cv-01521

Judge Charles R. Norgle, Sr.

Magistrate Judge Denlow

**RENEWED MOTION TO BIFURCATE PATENT INVALIDITY AND
UNENFORCEABILITY FROM ALLEGED INFRINGEMENT AND DAMAGES**

Defendants Wolverine Trading, L.L.C. and Wolverine Execution Services, L.L.C. (collectively “Wolverine”), join Barclays Bank PLC and Barclays Capital Inc.’s (collectively “Barclays”) and UBS AG, UBS Financial Services, Inc., and UBS Securities L.L.C.’s (collectively, “UBS”) Renewed Motion to Bifurcate Patent Invalidity and Unenforceability From Alleged Infringement and Damages, filed on March 4, 2011. For the reasons stated in Barclays and UBS’s Memorandum, the Court should grant the Renewed Motion to Bifurcate.

Wolverine relies on and hereby joins the arguments presented in Barclays and UBS's Memorandum in Support of their Renewed Motion to Bifurcate Patent Invalidity and Unenforceability From Alleged Infringement and Damages, and Wolverine agrees that bifurcation will promote judicial efficiency, as the patents-in-suit are likely to be found invalid under 35 U.S.C. § 101, as interpreted in *Bilski v. Kappos*, 130 S. Ct. 3218 (2010), and in light of

prior art. The issues related to invalidity and unenforceability of the patents-in-suit would require little discovery and could be quickly and efficiently determined on the paper record. For purposes of efficiency, Wolverine joins in Barclays and UBS's motion, and adopts and incorporates by reference the arguments and exhibits set forth in Barclays and UBS's memorandum, rather than repeating the same arguments in a separate memorandum, though Wolverine respectfully reserves the right to file a reply memorandum in support of the motion if necessary and appropriate.

Dated: March 8, 2011

Respectfully submitted,

By: /s/ Robert W. Unikel

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CERTIFICATE OF SERVICE

The undersigned certifies that, on March 8, 2010, a copy of the foregoing **Renewed Motion to Bifurcate Patent Invalidity and Unenforceability From Alleged Infringement and Damages** was served by electronic filing using this Court's CM/ECF system upon the following counsel of record:

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